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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/712,738 | 11/13/2003 | Raymond Kam | CHU/275/US | 8908 |
| 2543 | 7590 | 01/27/2005 | EXAMINER | |
| ALIX YALE & RISTAS LLP 750 MAIN STREET SUITE 1400 HARTFORD, CT 06103 | | | CARTER, MONICA SMITH | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3722 | |

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/712,738

Applicant(s)

KAM, RAYMOND

Examiner

Monica S. Carter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 5 and 6 is withdrawn in view of reference(s) to Richardson (916,369) and Coillot (3,012,156). Rejections based on the newly cited reference(s) follow.

Claim Objections

2. Claim 4 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 4, which depends from claim 5, claims the book cover comprising a pair of apertured strips one at an edge of each of the front and back plates. This limitation has already been set forth in Claim 5.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richardson ('369) in view of Coillot (3,012,156).

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Regarding claim 5, Richardson discloses a book cover comprising a front plate (10), a back plate (11), a lace (17) interconnecting the plates, the book cover further comprising a pair of apertured strips (12, 13) one at an edge of each of the front and back plates (as seen in figure 1) and flexible strips (14, 15 – flexible joints or hinges) connecting the apertured strips to the front and back plates respectively (as seen in figure 1).

Richardson discloses the claimed invention except for the back plate of the book cover having a pocket.

Coillot discloses a book cover comprising a front cover portion (29) and a back cover portion (31) having end portions (37 and 38) secured to the upper and lower edges of the cover portions by stitching (39) to form pockets to receive the front and rear covers (32 and 34) of a book (B) to be received in the book cover (as seen in figure 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to provide the back plate of Richardson's book cover with a pocket, as taught by Coillot, to accommodate the back page of a book or other multi-page insert and protect the book from being damaged.

Regarding claim 2, Richardson, as modified by Coillot, discloses the front and back plates each having a hinge (the hinges being the flexible joints or hinges 14 and 15) at one edge.

Regarding claim 3, Richardson, as modified by Coillot, discloses the front plate having a pocket for receiving a front page of a book or front sheet of a multi-page insert as seen in the above rejections to claim 5.

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Regarding claim 4, Richardson, as modified by Coillot, discloses a pair of apertured strips (12, 13) one at an edge of each of the front and back plates (as seen in figure 1 of Richardson).

Regarding claim 6, Richardson, as modified by Coillot, discloses the flexible strips (14 and 15) being elastic (flexible joints or hinges).

Regarding claim 7, Richardson, as modified by Coillot, discloses the lace passing through the apertures of the apertured strips to connect the apertured strips together (as seen in figure 2 of Richardson).

Regarding claim 8, Richardson, as modified by Coillot, discloses the lace being elastic (lacing cord as seen in figure 1 of Richardson).

Response to Arguments

5. Applicant's arguments with respect to claims 2-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica S. Carter whose telephone number is (571) 272-4475. The examiner can normally be reached on Monday-Thursday (6:00 AM - 3:30 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 26, 2005

Monica S. Carter
MONICA S. CARTER
PRIMARY EXAMINER